

MDL 1570 PLAINTIFFS' EXECUTIVE COMMITTEES

In re: Terrorist Attacks on September 11, 2001 (S.D.N.Y.)

Plaintiffs' Executive Committee for Personal Injury and Death Claims	Plaintiffs' Executive Committee for Commercial Claims
Ronald L. Motley (1944-2013) Jodi Westbrook Flowers / Donald A. Migliori, <i>Co-Chairs</i> MOTLEY RICE LLC James P. Kreindler, <i>Co-Chair</i> KREINDLER & KREINDLER LLP	Elliot R. Feldman, <i>Co-Chair</i> Sean Carter, <i>Co-Chair</i> COZEN O'CONNOR
Andrew J. Maloney III, <i>Co-Liaison Counsel</i> KREINDLER & KREINDLER LLP Robert T. Haefele, <i>Co-Liaison Counsel</i> MOTLEY RICE LLC	J. Scott Tarbutton, <i>Liaison Counsel</i> COZEN O'CONNOR

VIA ECF

April 28, 2017

The Honorable Sarah Netburn, U.S. Magistrate
 Judge
 United States District Court for the S.D.N.Y.
 Thurgood Marshall U.S. Courthouse, Room 430
 40 Foley Square
 New York, NY 10007

Re: *In Re: Terrorist Attacks on September 11, 2001, 03 MDL 1570 (GBD) (SN)*

Dear Judge Netburn:

The Plaintiffs' Executive Committees ("PECs") submit this letter and the accompanying documents to address concerns the Court identified during the telephone conference on April 24, 2017, regarding the proposed short form complaint and the related proposed order.

Enclosed with this letter are the revised documents that the PECs request the Court to consider. They include: (1) a Notice to Conform the complaints to the CAC for use in actions that have already been filed (this document is identical to the document submitted with our April 5, 2017 letter), attached as Exhibit A; (2) a Short Form Complaint and Demand for Jury Trial for use by plaintiffs who have not filed suit to initiate suit against the Kingdom of Saudi Arabia and/or the Saudi High Commission pursuant to the CAC, attached as Exhibit B; and a Proposed Order, attached as Exhibit C. We call the Court's attention to the fact that, when we re-examined the section in the short form complaint that describes the plaintiffs to revise it consistent with the Court's directions, we found that additional revisions needed to be made, for example, to add in the possibility of plaintiffs related to deaths or injuries from the attack at the Pentagon.

The Honorable Sarah Netburn

April 28, 2017

Page 2

We shared these documents yesterday with Michael Kellogg, counsel for the Kingdom of Saudi Arabia. Mr. Kellogg advised us this morning that Saudi Arabia “[does not] intend to file anything in response, but of course reserve[s] all rights to contest the sufficiency of injury-causation allegations, should it ever become necessary, as set forth in [Saudi Arabia’s] previous letter to the Court.”

For the reasons set forth in the PECs’ April 5, 2017 correspondence to the Court, we believe use of these proposed forms represents the most efficient procedural device for plaintiffs who have already filed complaints against the Kingdom of Saudi Arabia and/or the Saudi High Commission to adopt the CAC or for plaintiffs filing new complaints against the Kingdom of Saudi Arabia and/or the Saudi High Commission to join or adopt the CAC.

Thank you for your careful attention to this matter.

Respectfully,

/s/ Robert T. Haefele
ROBERT T. HAEFELE
PLAINTIFFS’ EXECUTIVE COMMITTEES

cc: The Hon. George B. Daniels, U.S.D.J. – Via ECF
All Counsel – via ECF